

## **DEVELOPMENT AND CONSERVATION CONTROL COMMITTEE**

At a meeting held on Wednesday, 4 February 2004 at 10.00 a.m..

Councillors	Dr DR Bard	CC Barker
	RE Barrett	JD Batchelor
	RF Bryant	R Driver
	G Elsbury	CJ Gravatt
	R Hall	Mrs SA Hatton
	Mrs J Hughes	SGM Kindersley
	LCA Manning JP	Mrs JA Muncey
	Mrs CAED Murfitt	JA Nicholas
	CR Nightingale	Dr JPR Orme
	JA Quinlan	Mrs DP Roberts
	NJ Scarr	RGR Smith
	Mrs DSK Spink MBE	RJ Turner
	LJ Wilson	AW Wyatt MBE

Councillors SJ Agnew, Dr SA Harangozo and Mrs EM Heazell attended the meeting by invitation.

Apologies for absence were received from Councillors Mrs JM Healey and JH Stewart.

### **1. ELECTION OF CHAIRMAN FOR THE MEETING**

In the absence of the Committee Chairman, Councillor RF Bryant (Chairman of the Council) took the Chair to oversee election of a Chairman for the meeting. Upon duly being proposed and seconded

It was **RESOLVED** that Councillor RGR Smith be elected as Acting Chairman for the meeting.

### **2. APPOINTMENT OF VICE-CHAIRMAN FOR THE MEETING**

Upon duly being proposed and seconded

It was **RESOLVED** that Councillor SGM Kindersley be appointed Acting Vice-Chairman for the meeting.

### **3. MINUTES OF PREVIOUS MEETING**

Subject to the addition of a comma, followed by the words "...but not new stock" after the word "...Authority" at the end of (b) in Minute no. 3(8) (S/2110/03/LB and S/2111/03/F in Gamlingay), the Committee authorised the Acting Chairman to sign, as a correct record, the Minutes of the meeting held on 7th January 2004, copies of which had been made available electronically.

### **4. REFUSE COLLECTION SERVICE - REFUSE DESIGN GUIDE**

The Committee considered a report, deferred from the meeting on 7th January 2004 (Minute no. 7 refers), seeking its comments on the draft Refuse Design Guide, attached thereto as an Appendix.

The Development Control Quality Manager explained that the intention was that the Refuse Design Guide should be adopted now as Council policy and, in due course, as a Supplementary Planning Document within the pending Local Development Framework. It

would therefore be subject to full public consultation as part of the LDF process.

In response to a Member's question, the Recycling and Waste Minimisation Officer confirmed that Donarbon Ltd was still awaiting the issue of the appropriate licence to enable it to begin composting organic waste.

In connection with the amended final paragraph of Section 2 of the Draft Guide, the Portfolio Holder for Environmental Health acknowledged that further amendment was necessary to make it clear that a householder could only purchase an additional black wheeled bin after a needs assessment carried out by the Environmental Health Department.

Members discussed the questions of bin capacity and entitlement. The Head of Legal Services urged Members to be flexible about capacity, suggesting that between 1 ½ and 2 ½ square metres should be provided for receptacles (without specifying the type) depending on the size of dwelling.

In its capacity as consultee, the Development and Conservation Control Committee **RECOMMENDED** that the Portfolio Holder for Planning and Economic Development

- (1) commend the Refuse Design Guide to full Council, and invite full Council to adopt it as Council policy and, in due course, as a Supplementary Planning Document, subject to the amendment about flexibility of capacity suggested by the Head of Legal Services; and
- (2) implements the necessary procedures to ensure that the Refuse Design Guide is made available to applicants for planning permission as soon as possible.

## 5. PLANNING APPLICATIONS

The Committee **RESOLVED** that the following applications be determined as recommended in the report of the Planning Director, or otherwise as stated below, and that, in all cases, the Planning Director be given delegated authority to finalise details of Conditions and reasons for refusal consistent with such determinations.

### (1) S/6212/03/F - CAMBOURNE

Shops, offices and 16 flats, Building W2, High Street, Cambourne, for Bovis Homes **APPROVAL**, in line with the amended recommendation contained in the report from the Director of Development Services, subject to Conditions relating to (among other things)

- details of the windows facing the market square
- hard surfacing details
- the need to clarify the future use of the open space in front of the retail units
- a scheme for public art (in accordance with the Design Guide)
- hours of construction
- details of lighting
- details of any barrier
- details of location and extent of the building compound

Members instructed officers to write to the applicants, stressing that the grant of planning permission in this case reflected the need for commercial units in Cambourne, and acknowledged the lengthy timescales involved, given the incorporation into the scheme of underground car parking. It had been granted strictly as an exception to the Council's embargo on issuing permissions for more market housing in the village, pending substantial progress being made, to the satisfaction of the Local Planning Authority, in

providing the community facilities envisaged by the Section 106 Legal Agreement completed in 1994.

The Head of Legal Services stated that, in any event, the so-called embargo should not be treated as being absolute in nature, and should not be cited as being such by certain elements of the Cambourne Management Liaison Committee ("MLC"). The Scrutiny Committee had examined this matter in detail and, while it concurred with the Council's approach of withholding planning approvals for as long as the developers were in default of their planning obligations, it acknowledged the Development and Conservation Control Committee's duty to determine each individual application in the light of all the relevant circumstances, including the progress of infrastructure provision.

In the 'Consultations' section of the report, Members agreed that the paragraph stating that, "The Cambourne Management Liaison Committee (MLC) – a forerunner of the future Parish Council recommends refusal, due to non-compliance with the s106 trigger points relating to the provision of community facilities" should be replaced with the following words namely, "The Planning sub-Committee of the Cambourne Management Liaison Committee (MLC – a forerunner of the future Parish Council) recommends refusal, due to non-compliance with the s106 trigger points relating to the provision of community facilities."

(Mike Jocelyn addressed the meeting as a member of the Planning sub-Committee of the Cambourne Management Liaison Committee but without authority from the MLC itself.)

### **(2) S/6223/03/RM - CAMBOURNE**

71 dwellings at GC31 for Circle 33 Housing Trust Ltd

**DELEGATED APPROVAL**, subject to the prior completion of a Section 106 Legal Agreement, amended plans addressing the issues raised in the report from the Director of Development Services, and Conditions relating to materials and boundary treatment. In the 'Consultations' section of the report, Members agreed that the paragraph stating that, "The Cambourne Management Liaison Committee (MLC) – a forerunner of the future Parish Council recommends refusal. Its principal complaint is that this scheme is for more housing than the masterplan allows." should be replaced with the following words namely, "The Planning sub-Committee of the Cambourne Management Liaison Committee (MLC – a forerunner of the future Parish Council) recommends refusal. Its principal complaint is that this scheme is for more housing than the masterplan allows."

(Mike Jocelyn addressed the meeting as a member of the Planning sub-Committee of the Cambourne Management Liaison Committee but without authority from the MLC itself.)

### **(3) S/6225/03/RM - CAMBOURNE**

35 dwellings at GC16 for Circle 33 Housing Trust Ltd

**DELEGATED APPROVAL**, subject to the prior completion of a Section 106 Legal Agreement, amended plans that better relate Plots 26 and 27 with the neighbouring site GC13, small changes to the position of blocks H and I, changes to the site boundary to show an indicative highway connection, a rationalisation of the number of footpaths within the site, and planning Conditions relating to materials, boundary treatment, lighting and comments from the Council's Ecology Officer. In the 'Consultations' section of the report, Members agreed that the paragraph stating that, "The Cambourne Management Liaison Committee (MLC) – a forerunner of the future Parish Council recommends refusal. Its principal complaint is that this scheme is for more housing than the masterplan allows." should be replaced with the following words namely, "The Planning sub-Committee of the Cambourne Management Liaison Committee (MLC – a forerunner of the future Parish Council) recommends refusal. Its principal complaint is that this scheme is for more housing than the masterplan allows."

(Mike Jocelyn addressed the meeting as a member of the Planning sub-Committee of the

Cambourne Management Liaison Committee but without authority from the MLC itself.)

**(4) S/6226/03/RM - CAMBOURNE**

29 dwellings at GC21 for Circle 33 Housing Trust Ltd

**DELEGATED APPROVAL**, subject to the prior completion of a Section 106 Legal agreement, amended plans addressing the issues raised in the report from the Director of Development Services, and planning Conditions relating to materials, boundary treatment, landscaping, lighting and comments from the Council's Ecology Officer. In the 'Consultations' section of the report, Members agreed that the paragraph stating that, "The Cambourne Management Liaison Committee (MLC) – a forerunner of the future Parish Council recommends refusal. Its principal complaint is that this scheme is for more housing than the masterplan allows." should be replaced with the following words namely, "The Planning sub-Committee of the Cambourne Management Liaison Committee (MLC – a forerunner of the future Parish Council) recommends refusal. Its principal complaint is that this scheme is for more housing than the masterplan allows."

(Mike Jocelyn addressed the meeting as a member of the Planning sub-Committee of the Cambourne Management Liaison Committee but without authority from the MLC itself.)

**(5) S/6227/03/RM - CAMBOURNE**

30 dwellings at GC22 for Granta Housing Society

**DELEGATED APPROVAL**, subject to the prior completion of a Section 106 Legal Agreement, amended plans addressing the issues raised in the report from the Director of Development Services, and planning Conditions relating to construction access, materials, boundary treatment, landscaping and lighting. In the 'Consultations' section of the report, Members agreed that the paragraph stating that, "The Cambourne Management Liaison Committee (MLC) – a forerunner of the future Parish Council recommends refusal. Its principal complaint is that this scheme is for more housing than the masterplan allows. It also makes comments about overlooking from two unnecessary balconies on block I (plots 27-30) and the lack of a turning head at the end of the road next to the access to the allotments." should be replaced with the following words namely, "The Planning sub-Committee of the Cambourne Management Liaison Committee (MLC – a forerunner of the future Parish Council) recommends refusal. Its principal complaint is that this scheme is for more housing than the masterplan allows. It also makes comments about overlooking from two unnecessary balconies on block I (plots 27-30) and the lack of a turning head at the end of the road next to the access to the allotments."

(Mike Jocelyn addressed the meeting as a member of the Planning sub-Committee of the Cambourne Management Liaison Committee but without authority from the MLC itself.)

**(6) S/6228/03/RM - CAMBOURNE**

Multi-Use Games Area, access and car park at sports area, Back Lane, Cambourne, in the Parish of Bourn

**DELEGATED APPROVAL**, subject to no objections being received during the period for public consultation, and to the Conditions referred to in the report from the Director of Development Services.

**(7) S/2458/03/F - BOURN**

Extension to 16 Church Street for Mr and Mrs I Jones

**APPROVAL**, subject to the Conditions referred to in the report from the Director of Development Services and an additional Condition requiring the replanting of a hedge along the front boundary in order to screen the dwelling from Church Street.

(Councillor Mrs DP Roberts abstained from voting)

**(8) S/2329/03/F - CAXTON**

Extension at Grange Farm, Bourn Road for V. Chapman

**APPROVED**, contrary to the recommendation contained in the report from the Director of

Development Services. Having visited the site, Members did not consider that the development would have an adverse impact on the countryside such as would contravene Policy HG19 of the South Cambridgeshire Local Plan (proposed to be adopted December 2003).

(Councillor NJ Scarr abstained from voting)

**(9) S/2529/03/F - CROXTON**

Temporary portable building for storage of furniture (retrospective application), land at Wykeham House, High Street, Croxton for Mr and Mrs G Green

**APPROVED**, subject to a Condition (revised from that set out in the report from the Director of Development Services) stating that the portable building hereby permitted shall be removed and land restored to its former condition on or before 31st July 2004 or within 14 days of the date the works to repair the flood damage to the house is completed, whichever is the sooner.

**(10) S/2170/03/F - CASTLE CAMPS**

Change of use of post office/shop to dwelling at the post office, High Street for Mr and Mrs Lott

**APPROVAL**, contrary to the recommendation contained in the report from the Director of Development Services. Members considered that the applicants had undertaken an appropriate marketing exercise, that there had been insufficient local support, and that the post office/shop was unviable due to its relatively close proximity to Haverhill.

**(11) S/2202/03/F - COMBERTON**

House, land adjacent to Vine House, 26 West Street for Mr and Mrs Funge

**APPROVAL**, as amended by plan showing amended position of access, contrary to the recommendation contained in the report from the Director of Development Services. Having visited the site, Members considered that the siting and design of the proposed dwelling did not adversely affect the Conservation Area or the well-being of the Yew tree on site.

(Miss Chris Westgarth, Chairman of Comberton Parish Council, addressed the meeting)

**(12) S/2273/03/F AND S/2272/03/CAC - COMBERTON**

Erection of house following demolition of existing bungalow and garage

Total demolition of existing bungalow and garage

4 Hines Lane for C B and P A Walker

**APPROVAL** of both applications, including details of the roof and fenestration, subject to the Conditions set out in the report from the Director of Development Services.

(Miss Chris Westgarth, Chairman of Comberton Parish Council, addressed the meeting)

**(13) S/2512/03/F - COTTENHAM**

Erection of extension to form garage at 10 Kingfisher Way for S Harris

**REFUSED**, contrary to the recommendation contained in the report from the Director of Development Services. Members reaffirmed part of the reason for refusing application S/2042/02/F at the same site, and stated that application S/2512/03/F should be refused for the second reason, namely that the garage was of insufficient width to be usable, thereby reducing the amount of available parking on site.

**(14) S/1409/03/O AND S/1410/03/O - DUXFORD**

- S/1409/03/O - residential development (affordable housing) on land off Lacey's Way for Mr J Hilbery and Cambridge Housing Society

- S/1410/03/O - erection of four dwellings and garages following demolition of commercial buildings on land off Moorfield Road for Mr J Hilbery

**APPROVAL** of application no. S/1409/03/O, as amended by plan date stamped 28th October 2003 and letter dated 21st January 2004, subject to the prior completion of a

Section 106 Legal Agreement ensuring that all of the housing would be affordable and would remain so in perpetuity, and to the Conditions referred to in the report from the Director of Development Services.

**APPROVAL** of application no. S/1410/03/O, as amended by letter dated 21st January 2004, subject to the prior completion of a Section 106 Legal Agreement to tie the development of this site to the provision and delivery of the Lacey's Way site and to the Conditions referred to in the report from the Director of Development Services.

**(15) S/2523/03/F - FOWLMERE**

Replacement dwelling, North Grove, for M Weztl

Members noted that this application had been **WITHDRAWN**.

**(16) S/0011/04/F - FULBOURN**

Erection of car port extension to garage, 31 Cherry Orchard for Mr Wilkinson

**APPROVAL**, for the personal benefit of the applicant and his family (in accordance with the 'private interests' provision of Planning Policy Guidance Note no. 1), subject to the Condition referred to in the report from the Director of Development Services.

**(17) S/2561/03/F - FULBOURN**

Erection of an extension and outbuilding, Hind Lodgers House, Stonebridge Lane for Mr and Mrs Mason

**DEFERRED** for a site visit.

**(18) S/0141/01/O - GAMLINGAY**

Two dwellings, land to the rear of 32 Mill Street (off School Close) for the Executors of Mr S Cross

**APPROVAL**, subject to the Conditions referred to in the report from the Director of Development Services.

**(19) S/2344/03/F - GIRTON**

Extension, The Bungalow, Cambridge Road, for R Kennedy and K Meaby

**REFUSED**, contrary to the recommendation contained in the report from the Director of Development Services. Members considered the proposal to be out of scale and that it would have an adverse impact on its surroundings, thus being contrary to Policies GB/2 and HG/18 of the Local Plan.

**(20) S/2325/03/F - GREAT SHELFORD**

Dwelling at no. 1 Woollards Lane for Mr and Mrs Rankine

**APPROVAL**, as amended by plan date-stamped 22nd January 2004 reducing the height of the garage, subject to the Conditions referred to in the report from the Director of Development Services and to an additional Condition relating to the area to be provided clear of the public highway for the parking, turning, loading and unloading of all vehicles visiting the site during the construction period.

(Councillor R Hall declared a personal interest in this item and withdrew from the Chamber.)

**(21) S/2474/03/F - GREAT SHELFORD**

House on land adjacent to 1 Stonehill Road for Dr and Mrs Onuorah

**DELEGATED REFUSAL**, contrary to the recommendation contained in the report from the Director of Development Services. Having visited the site, Members considered that, by virtue of its forward position and design, the proposed dwelling would have an adverse impact on the street scene and would not respect the rhythm of development along Stonehill Road.

**(22) S/2617/03/LB AND S/2618/03/F - HARSTON**

- S/2617/03/LB – alterations - dismantling of section of front boundary wall to form new access and construction of new entrance piers
- S/2618/03/F - vehicular access and entrance piers adjacent to Park House, 87 High Street for City and Country Residential Ltd

**REFUSED** for the reasons set out in the report from the Director of Development Services, and an additional reason for application S/2618/03/F relating to the likely adverse impact the foundations of the proposed piers would have on the rooting systems of the two adjacent trees.

**(23) S/1731/03/F - HISTON**

Erection of dwelling on land adjacent to 8 Winders Lane for Mr and Mrs B Martin  
**APPROVAL**, contrary to the recommendation contained in the report from the Director of Development Services. Having visited the site, Members did not consider that the proposal would have an adverse impact on the character of Clay Street.  
(Councillor CC Barker declared a personal interest in this item, and withdrew from the Chamber.)

**(24) S/2486/03/F - HISTON**

Dwelling adjacent to no. 8 Farmstead Close for Alan Collinson  
**DEFERRED** for a site visit.

**(25) S/2058/03/F - LITTLE SHELFORD**

Alteration to vehicular access at 65 Hauxton Road for F T A Smart  
**REFUSED**, as amended by plans date stamped 10th November 2003, for the reason set out in the report from the Director of Development Services.

**(26) S/2247/03/F - HORNINGSEA**

Replacement dwelling and garaging, Kings Farm, High Street for Mr and Mrs N J Gibbs  
**DEFERRED** to enable the applicants, officers and the Parish Council to consider an alternative access to the site in consultation with Cambridgeshire County Council and Councillor SJ Kime, the County Councillor representing the Fulbourn Division.  
(Michael Helowell, Chairman of Horningsea Parish Council, addressed the meeting.)

**(27) S/2460/03/F - THRIFLOW**

Extensions and garage/store at 5 Middle Street for Mr and Mrs L Holmes  
**APPROVAL**, contrary to the recommendation contained in the report from the Director of Development Services, subject to the prior completion of a Section 106 Legal Agreement to ensure that there is no further development within the site other than the extensions and garage/store, and that the main extension is only occupied as an annexe to the existing dwelling. Having visited the site, Members considered that the proposal was of a good design, would enhance the Conservation Area, and would not adversely impact on neighbouring properties.

**(28) S/2302/02/O - WILLINGHAM**

Two dwellings on land adjacent to, and to the rear of, 35-37 Church Street for Willingham Combined Charity  
**APPROVAL**, as amended by drawing no. WILL/312/3 'A' date stamped 29th October 2003 and certificate dated 30th October 2003, subject to the Conditions referred to in the report from the Director of Development Services.

**(29) S/2121/03/F - WEST WRATTING**

House and garage - land to the rear of 3 High Street for J and J Alderton Ltd  
**DELEGATED APPROVAL/REFUSAL**, as amended by plans date stamped 31st October 2003, 20th and 26th January 2004 and facsimile message dated 3rd February 2004.  
Approval would be granted if, after further discussions had taken place with the

Environment Agency, the Council's Drainage Manager and the local Member, it was agreed that existing dwellings would not be at increased risk of flooding as a result of the development. The application would be refused if it was agreed that existing dwellings were likely to be at increased risk of flooding as a result of the development. Any approval would be subject to the Conditions referred to in the report from the Director of Development Services, and to additional Conditions relating to the finished floor level of the dwelling and the provision and maintenance of the visibility splay.

## **6. UPDATE ON APPEALS AGAINST PLANNING DECISIONS AND ENFORCEMENT ACTION**

The Committee noted the following from the report prepared by the Director of Development Services:

- Decisions notified by the Secretary of State
- Appeals received
- Local Inquiry and Informal Hearing dates scheduled before the next meeting of the Committee on 3rd March 2004

In connection with the nine appeals at Smithy Fen, Cottenham (Plots 7-12 and 14-16 Pineview), Members noted that the Informal Hearing had been postponed.

- Appeals withdrawn or postponed
- Advance notification of future local inquiry and Informal Hearing dates (subject to postponement or cancellation)

## **7. APPLICATIONS OVER 13 WEEKS AWAITING DECISIONS AS AT THE END OF WEEK 42**

Members **RECEIVED** and discussed a list of applications over 13 weeks old awaiting decision as at the end of Week 42.

## **8. PLANNING APPEAL STATISTICS**

Members **NOTED** Planning Appeal statistics for the period from 1st January 2003 to 31st December 2003.

## **9. PERFORMANCE CRITERIA**

Members **NOTED** performance criteria for the three-month period ended 30th September 2003.

## **10. PLANNING DECISION TOTALS AND PERCENTAGES**

Members **NOTED** graphs in respect of:

- Planning Decisions for the period from July to September 2003
- Planning Decisions for the year ended 30th September 2003
- Total decisions issued quarterly by South Cambridgeshire District Council
- Percentage of applications determined within eight weeks
- Planning Decisions by development type and speed of evaluation for the three-month period and year ended 30th September 2003

The Deputy Planning Director pointed out to Members that the year ending September 2003 comprised the worst four quarters for some time. During this period, it had proved



impossible to retain and recruit to keep the Area Planning Teams fully staffed. However, the last vacancy would be filled in March 2004, and this would be the first time in over two years that the Teams had been complete. Unfortunately, the Planning Delivery Grant from Government was based on the year ended September, and the figures could adversely impact on the level of grant payable to South Cambridgeshire District Council, despite the Authority being in the second to top quartile and actually determining more applications within eight weeks than it had done during the equivalent period in the previous year (the total number of applications had increased considerably and at a rate above the national average). The Planning Delivery Grant was funding the Council's two informal inquiry officers, who had dealt with over 250 inquiries during the last quarter.

#### 11. **CAMBOURNE SECTION 106 LEGAL AGREEMENT - FACILITIES AND TIMING OF PROVISION**

The Committee noted a further report on the lack of provision, in Cambourne, of a series of facilities required under the terms of the Section 106 Legal Agreement dated 20th April 1994.

The New Village/Special Projects Officer (Cambourne) conveyed to Members an update report from the Project Director at Cambourne on progress being made with such provision, especially in connection with the skateboard park, allotments and Multi-Use Games Area ("MUGA")

Councillor Mrs DSK Spink (local Member) expressed her appreciation of the work conducted by officers in monitoring performance against the provisions of the Section 106 Agreement, and requested that the March update should highlight planning permission S/6212/03/F – Cambourne (Shops, offices and flats, Building W2, High Street, Cambourne, for Bovis Homes) as an exception to the Council's stance on withholding further permission for market housing pending substantial progress in complying with the 1994 Agreement.

It was **RESOLVED** that the Council's stance be maintained for the time being, and a further report to be received at the next meeting.

#### 12. **REVIEW OF THE CAMBOURNE DESIGN AND ENVIRONMENT GROUP (DEG)**

The Committee considered a report detailing the history of the Cambourne Design and Environment Group ("DEG") and assessing its current effectiveness.

Due to the cancellation of the DEG meeting referred to in paragraph 7 of the report, the views of its individual members had been canvassed. One response had been received, expressing concern at the proposal to disband the Group.

It was **RESOLVED** that the Cambourne Design and Environment Group be suspended for a period of twelve months.

#### 13. **TREE PRESERVATION ORDERS**

The Committee considered whether or not to confirm Tree Preservation Orders made in the parishes of Girton, Bassingbourn and Willingham.

It was **RESOLVED** that Tree Preservation Orders 40/03/SC (5 Cambridge Road, Girton), 41/03/SC (131 The Causeway, Bassingbourn) and 42/03/SC (1 Priest Lane, Willingham) be confirmed without modification.

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**The Meeting ended at 4.50 p.m.**

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